

HOUSE BILL 1320

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 39
and Title 40, relative to criminal gangs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 1, is amended by adding the following language as a new section:

39-17-118.

(a) It is an offense to intentionally cause a person, by force or coercion, to become a criminal gang member, as defined in § 40-35-121, against the person's will.

(b) A violation of subsection (a) is:

(1) A Class D felony if the victim is older than twenty-one (21) years of age at the time of the offense;

(2) A Class C felony if the victim is seventeen (17) years of age, but no more than twenty-one (21) years of age at the time of the offense;

(3) A Class B felony if the victim is fourteen (14) years of age, but no more than sixteen (16) years of age at the time of the offense; and

(4) A Class A felony if the victim is thirteen (13) years of age or younger at the time of the offense.

SECTION 2. Tennessee Code Annotated, Section 40-35-121(a)(3)(B), is amended by adding the following language as a new subdivision:

() Recruiting a criminal gang member, as defined in § 39-17-118;

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it, and applies to violations occurring on or after that date.